



ACTS OF THE PARLIAMENT OF CANADA

PASSED IN THE SESSION HELD IN THE

ELEVENTH AND TWELFTH YEARS OF THE REIGN OF HER MAJESTY

QUEEN ELIZABETH II

BEING THE

FIRST SESSION OF THE TWENTY-FIFTH PARLIAMENT

Begun and holden at Ottawa, on the Twenty-Seventh day of September, 1962,
and ended by dissolution on the Sixth day of February, 1963.

HIS EXCELLENCY MAJOR-GENERAL
GEORGES PHILIAS VANIER
GOVERNOR GENERAL

PART II

LOCAL AND PRIVATE ACTS

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

11 ELIZABETH II.

CHAP. 18

An Act respecting The Imperial Life Assurance Company of Canada.

[Assented to 20th December, 1962.]

WHEREAS The Imperial Life Assurance Company of Canada, and in French, Compagnie Canadienne d'assurance sur la vie l'Impériale, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.
1896, c. 50.

1. The name of the Company in French is hereby changed to L'Impériale, Compagnie d'Assurance-Vie, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or proceeding that might have been commenced or continued by or against the Company under its former name may be commenced or continued by or against it under its new name.

Change of
name in
French.

Existing
rights
saved.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

11 ELIZABETH II.

CHAP. 19

An Act respecting Merit Insurance Company.

[Assented to 20th December, 1962.]

WHEREAS Merit Insurance Company, hereinafter called “the Company”, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.
1952-53, c. 61.

1. The Company may use, in the transaction of its business, either the name Merit Insurance Company or the name Mérite, Compagnie d'Assurance, or both names, as and when it so elects. It may sue or be sued in either or both such names, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either or both of the said names shall be valid and binding on the Company.

Name in
French.

2. Nothing contained in section 1 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 1 of this Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing
rights saved.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

11 ELIZABETH II.

CHAP. 20

An Act respecting The North American General Insurance Company.

[Assented to 29th November, 1962.]

WHEREAS The North American General Insurance Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.
1917, c. 65;
1959, c. 62.

1. The Company may use, in the transaction of its business, either the name The North American General Insurance Company or the name La Nord Américaine, Compagnie d'Assurances Générales, in either of which names it may sue or be sued, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either of the said names shall be valid and binding on the Company.

Name in
French.

2. Nothing contained in section 1 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 1 of this Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing
rights saved.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

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11 ELIZABETH II.

CHAP. 21

An Act respecting Canadian Pacific Railway Company.

[Assented to 29th November, 1962.]

WHEREAS Canadian Pacific Railway Company has by its Preamble
petition prayed that it be enacted as hereinafter set
forth, and it is expedient to grant the prayer of the petition:
Therefore Her Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts as
follows:

1. Canadian Pacific Railway Company, herein- Line of
after called "the Company", may construct a line of railway railway
commencing from a point in the southeast $\frac{1}{4}$ of section 35, authorized.
township 22, range 1, west of the second meridian at or in
the vicinity of Bredenbury, in the province of Saskatchewan,
at mile 117.5 of the Bredenbury subdivision, thence in a
generally southerly direction for a distance of approximately
15.5 miles to a point in the northeast $\frac{1}{4}$ of section 24, town-
ship 20, range 33, west of the principal meridian in the said
province.

2. If the construction of the said line of railway is Time for
not commenced within a period of two years or is not com- completion
pleted and put in operation within a period of five years
after the passing of this Act, the powers of construction
hereby conferred upon the Company shall cease and be null
and void as regards so much of the said line of railway as
shall then remain uncompleted.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

11 ELIZABETH II.

CHAP. 22

An Act to incorporate The Christian Brothers of Ireland in Canada.

[Assented to 20th December, 1962.]

WHEREAS the Brothers of the Christian Schools of Ireland, hereinafter called "the Congregation", is a religious congregation in communion with the Roman Catholic Church; and whereas the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.

1. The Reverend William E. Drayton, of the city of Montreal, in the province of Quebec, the Reverend Joseph B. Darcy and the Reverend Gordon R. Bellows, both of the city of St. John's, in the province of Newfoundland, all being members of the Congregation, together with such other persons as may become members of the corporation, are hereby incorporated under the name of The Christian Brothers of Ireland in Canada, hereinafter called "the Corporation".

Incorporation.

Corporate name.

2. (1) The head office of the Corporation shall be in the city of Montreal, in the province of Quebec, or at such other place within Canada as the Corporation may determine by by-law from time to time.

Head office.

(2) Notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office and a copy of such notice shall be published forthwith in the *Canada Gazette*.

Notice of change.

3. The objects of the Corporation, subject to the laws in force in Canada, shall be

Objects.

- (a) to provide educational facilities;
- (b) to establish and maintain orphanages;

- (c) to establish, maintain and conduct novitiates to be used for educational, religious and residential purposes;
- (d) to promote the religious life;
- (e) to create, erect, organize, maintain, enlarge and operate or direct and administer teaching and other educational institutions such as colleges, schools and academies; and
- (f) to administer in Canada the property, business and other temporal affairs of the Corporation.

Powers.

4. Subject to the laws in force in Canada, the Corporation may

- (a) enter into agreements with dioceses, school commissions, associations of teachers, governmental institutions and other bodies or persons for the purposes of the Corporation;
- (b) establish and organize, in the teaching and other institutions administered by the Corporation, boards of governors or benefactors, the members of which shall act in an advisory capacity and in conformity with the rules and regulations of the Corporation; and
- (c) acquire the real or personal property of any other corporation having objects similar to those of the Corporation on the assumption of all the obligations of such corporation.

Power to
acquire and
hold
property.

5. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, and any or every estate or interest whatsoever given, granted, devised, mortgaged or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with, the uses or purposes of the Corporation.

(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Investment
in and
disposal of
property.

6. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real or personal property, held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or

any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purposes of such investment may take, receive and accept mortgages, hypothecs or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages, hypothecs or assignments either in whole or in part.

7. A licence in mortmain shall not be necessary for the exercise of the powers granted by this Act concerning any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada; but otherwise the exercise of the said powers shall be, in any province of Canada, subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation.

Application
of mortmain
laws.

8. (1) The powers of the Corporation shall be exercised by a Board of Directors, hereinafter called "the Board", which shall control and administer all the business and affairs of the Corporation.

Board of
Directors.

(2) Subject to subsection (4), the Board shall consist of the Brother Provincial having from time to time canonical jurisdiction in Canada of the Brothers of the Christian Schools of Ireland and his four consultants in the Congregation.

(3) The Board may make, amend and repeal such by-laws, rules, orders and regulations, not contrary to law or inconsistent with the rules and constitution of the Congregation, as the Board may deem appropriate for the conduct and government of the Corporation and its members, for the promotion of its objects and for the acquisition, management, supervision and disposal of its property.

(4) In particular, without limiting the generality of subsection (3), the Board may make, amend and repeal by-laws, rules, orders and regulations concerning

- (a) the requirements for admission to and continuance in membership of the Corporation, and the rights and duties of such members;
- (b) the constitution of the Board, the duration of the tenure and the mode of appointment of the members of the Board and the filling of any vacancy occurring on the Board, whether such vacancy is caused by death, resignation or otherwise; and

- (c) the calling and holding of meetings of the Board and fixing the quorum thereof.

Transfer of
property held
in trust.

9. Insofar as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held in trust or otherwise for the use and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property, or any part thereof, to the Corporation.

Disposition
of property
by gift or
loan.

10. The Corporation may make a gift of or lend any of its property, whether real or personal, for or to assist in the erection or maintenance of any building or buildings deemed necessary or useful for any church, college, school or hospital, or for any other religious, charitable, educational, congregational or social purpose upon such terms and conditions as it may deem expedient.

Investment
of funds.

11. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof or any such securities.

Borrowing
powers.

12. (1) The Corporation may, from time to time, for the purposes of the Corporation

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Corporation, and countersigned by the proper party thereto, authorized by the by-laws of the Corporation, shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;
- (d) issue bonds or other securities of the Corporation;
- (e) pledge or sell such bonds or other securities for such sums and at such prices as may be deemed expedient; and

- (f) mortgage, hypothecate or pledge any property of the Corporation, real or personal, present or future, to secure the repayment of any money borrowed for the purposes of the Corporation.

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance. Limitation.

13. The Corporation may establish and maintain branches to promote the objects of the Corporation and for such purpose may appoint such subordinate officers with such powers and tenure of office as the Corporation may deem advisable. Branches

14. Subsection (1) of section 14, except paragraphs (t) and (u), and section 20 of Part I of the *Companies Act* shall apply *mutatis mutandis* to the Corporation. Sections of
Companies Act
to apply.
R.S., c. 53.

15. The Corporation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects. Incidental
powers.

16. The Corporation may pursue its objects and exercise its rights and powers in any part of Canada. Jurisdiction.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

11 ELIZABETH II.

CHAP. 23

An Act respecting The Trustee Board of The Presbyterian Church in Canada.

[Assented to 20th December, 1962.]

WHEREAS The Trustee Board of The Presbyterian Church in Canada, hereinafter called "the Board", and the Executive of the Administrative Council of the said The Presbyterian Church in Canada, have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.
1939, c. 64;
1939, c. 65.

1. (1) Paragraph (a) of section 15 of chapter 64 of the Statutes of 1939 is repealed and the following substituted therefor:

Repeal.

"(a) Power to invest or reinvest or lend moneys in or upon any securities, real or personal, in which a Canadian insurance company may invest its funds or upon which it may lend its funds under the authority of the *Canadian and British Insurance Companies Act*, subject to the same limitations and conditions as apply to such a company pursuant to that Act, except that investments in common shares shall not be subject to the limitation set out in subsection (7) of section 63 thereof; and the Board shall have all such rights and remedies for the collection, enforcement or repayment of an investment or loan as any individual or corporation would have by law in the premises;"

Investment
of funds.

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

(2) Section 15 of chapter 64 of the Statutes of 1939 is further amended by adding thereto, immediately after paragraph (d) thereof, the following paragraphs:

Retention
of property

“(e) Power to hold and retain any property, real or personal, received by way of gift, devise, deed, conveyance, transfer, lease, bequest or assignment to or for the benefit of The Presbyterian Church in Canada or any of the trusts in connection with the said church, or any of the institutions, organizations, schemes or funds of the said church, notwithstanding that the said property is not in the nature of an investment authorized by law for the investment of trust funds or an investment in which the Board is empowered to invest or reinvest moneys under the provisions of paragraph (a) of this section; and

Pension
plans, etc.

(f) Power to establish one or more plans providing for payments by way of gratuities, pensions, superannuation or retirement allowances, annuities or insurance benefits for ministers or former ministers of The Presbyterian Church in Canada, their widows and orphan children, and employees or servants or former employees or servants of the said church, or any class or classes thereof, out of any fund or funds comprising contributions made by such persons or any class or classes thereof, or by the said church or by the Board, or by all or any of them, or otherwise, whether effected by agreements or arrangements entered into with one or more insurance or trust companies authorized under the laws of Canada or of any province thereof to transact business in Canada, or with Her Majesty in right of Canada, or with Her Majesty in right of any province of Canada, or otherwise; or to vary or terminate any such plan heretofore or hereafter established; and for the purposes aforesaid, to sell, transfer, assign and convey such funds and assets, in whole or in part, as may now or hereafter be held or received by the Board for the purposes of any such plan: Provided that the establishment, variation or termination of any such plan shall be subject to the approval and direction of the General Assembly of the said church, or the Administrative Council of the said church or the Executive of the Administrative Council.”

Proviso.

2. Chapter 64 of the Statutes of 1939 is further amended by adding thereto, immediately after section 22 thereof, the following section:

"23. Wherever in this Act reference is made to the Board of Administration or the Administrative Council of The Presbyterian Church in Canada, such references apply to the board, council, committee or other body, by whatever name called, that is from time to time vested with the chief executive and administrative powers of The Presbyterian Church in Canada between meetings of the General Assembly of the said church."

Administra-
tive bodies.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

11 ELIZABETH II.

CHAP. 24

An Act respecting The Eastern Trust Company.

[Assented to 29th November, 1962.]

WHEREAS The Eastern Trust Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.
1893, c. 84;
1899, c. 110;
1908, c. 103;
1948, c. 88.

1. The Company may use, in the transaction of its business, either the name The Eastern Trust Company or the name Le Trust de l'Est Canadien, in either of which names it may sue or be sued, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either of the said names shall be valid and binding on the Company.

Name in
French.

2. Nothing contained in section 1 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 1 of this Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing
rights
saved.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1963

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